

APPENDIX D: Water Rights Purchased with the Huntington Property.

The water rights associated with the Huntington property will be purchased with the land. The Huntington property owner indicates that the surface water rights associated with the Huntington Ranch were utilized exclusively on the cultivated portion of Tract 2 - North La Plata River parcel. The property owner also indicated that the water flow generated by these rights is adequate to sufficiently irrigate 170 acres of the total 240 cultivated acres.

Yield of Existing Water Rights

These surface water rights are set forth as follows and additional detail is given in Table D-1.

Red Mesa Ward Reservoir	- 61 shares
Joseph Freed Ditch	- 97 shares of "A" water - 95 shares of "B" water
Warren-Vossberg Ditch	- 1 3/10 cfs high priority - 2 1/4 cfs low priority

The Joseph Freed Ditch is an incorporated ditch with "A" and "B" water. In terms of flow, 1 cfs requires 80 shares of "A" water or 187 shares of "B" water. Joseph freed "A" water has priority #56 which is a mid range priority on the La Plata River. Joseph Freed "B" water has a lower priority of #65 which is a relatively poor water right.

The Warren-Vossberg Ditch is an unincorporated ditch without any shares of stock. The better water from this ditch is considered mid range on the La Plata River with priority #37 and #40. The lower priority water is #65 and is a relatively poor water right.

Surface Water Rights

The Red Mesa Ward reservoir, a.k.a. Mormon Reservoir, contains approximately 1,100 acre feet of water storage capacity and is located about four miles to the northeast of Tract #5. The Red Mesa Ward Reservoir generally fills every season. However, the reservoir can experience shortages resulting from a dry winter and early spring. Storage rights in Red Mesa Ward Reservoir are considered good water rights on the La Plata River, and are generally superior to middle to low priority ditch rights. However, these reservoir rights tend to be inferior to the most senior ditch rights on the river including the La Plata Ditch and Hay Gulch Ditch which flow all summer.

Table D-1: Detailed Breakdown of Water Rights.

C. W. Huntington Water Rights Joseph Freed Ditch

Adj Date	Appro Date	Rate	Total Shares	Huntington Shares	Huntington %	Huntington Rate
06/23/15	01/01/04	6.00 cfs	480	97	20.20%	1.21 cfs
06/23/15	01/11/04	5.33 cfs	77	0		
06/23/15	03/21/07	0.80 cfs	77	0		
06/23/15	04/05/07	6.75 cfs	1,392	95	6.82%	0.46 cfs
06/23/15	04/05/07	2.50 cfs	conditional			
06/23/15	04/05/07	2.50 cfs	conditional			
03/21/66	04/15/26	<u>12.00 cfs</u>	1,949	192	9.85%	<u>1.18 cfs</u>
Total		30.88 cfs				2.85 cfs

Huntington Owned Ward Reservoir Shares = 24 = 24 af

Warren-Vossburg Ditch

Adj Date	Appro Date	Rate	Total Shares	Huntington Shares	Huntington %	Huntington Rate
06/23/15	05/17/98	1.00 cfs	10	0		
06/23/15	05/07/99	0.67 cfs	12.20	12.20	100%	1.22 cfs
06/23/15	05/07/99	0.55 cfs	combined with above right for total of 1.22 cfs			
06/23/15	09/15/04	2.50 cfs	25	1.09	4.36%	0.11 cfs
06/23/15	09/15/04	2.38 cfs	conditional			
06/23/15	09/15/04	2.38 cfs	conditional			
06/23/15	04/15/07	2.00 cfs	conditional			
06/23/15	04/15/07	1.34 cfs	conditional			
06/23/15	04/15/07	3.25 cfs	39.20	20.23	51.61%	2.02%
06/23/15	04/15/07	0.66 cfs	combined with above right for total of 3.91 cfs			
03/21/66	06/09/26	<u>4.58 cfs</u>	45.80	15.21	33.21%	<u>1.52 cfs</u>
Total		13.21 cfs				4.87 cfs

Huntington Owned Ward Reservoir Shares = 37 = 37 af

Studies were done during the 1980's for the Animas-La Plata water petition process to determine how much water credits existing irrigators would receive because of their historical use of the La Plata River. Calculation was completed using historical diversions records to determine how much water had been available for use during an average year by each petitioner under their existing water rights.

The calculations indicate that Mr. Huntington had access to 128 ac-ft from direct diversion and 37 ac-ft from Red Mesa Ward reservoir in the Warren-Vossburg Ditch and had access to 103 ac-ft from direct diversion and 24 ac-ft from Red Mesa Ward reservoir in the Joseph Freed Ditch.

Conditional Water Rights

On November 8, 1994, a conditional water right was granted by District Court, Water Division 7 for a water diversion structure known as the Huntington Pumpsite. The location of this structure is to be in the NW 1/4, NE 1/4, NE 1/4, Section 3, T32N, R13W, 5,700 feet from the north section line and 1,000 feet from the east section line. The location is on the La Plata River near the southern property line of Tract #2, - South La Plata River parcel. This conditional water right allows for the removal of 10 cfs from the La Plata River, subject to prior priorities, for the purpose of irrigation, domestic, commercial, and industrial uses.

On November 9, 1994, a conditional water right was granted by District Court, Water Division 7 for a 1,000 acre foot structure known as the Huntington reservoir. The Location of this structure is to be on the NW 1/4, NE 1/4, NW 1/4, Section 3, T32N, R13W, 6,400 feet from the north section line and 3,800 feet from the east section line. The location is on the Johnny Pond Arroyo in the southern portion of Tract #2, - South La Plata river parcel. The stored water is to be used for irrigation, domestic, commercial, and industrial uses with its source from the La Plata River and Johnny Pond Arroyo.